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**Attorneys for Plaintiffs**

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY (NEWARK)**

CHARLES T. MCNAIR,  
THEODORE AUSTIN,  
DANIELLE DEMETRIOU,  
USHMA DESAI and JULIE DYNKO  
on behalf of themselves and all others similarly  
situated,

Plaintiffs,

v.

SYNAPSE GROUP INC.,

Defendant.

Case No. 2:06-cv-05072 (JLL)(CCC)

**CIVIL ACTION**

**CERTIFICATION OF  
MICHAEL S. GREEN  
IN SUPPORT OF PLAINTIFFS'  
MOTION FOR  
RECONSIDERATION  
OF THE COURT'S  
NOVEMBER 15, 2010 ORDER**

MICHAEL S. GREEN duly sworn hereby certifies as follows:

1. I am a member of the firm of Green & Associates, LLC, co-counsel for plaintiffs and the putative class in the above captioned action and make this certification in support of the motion for class certification.
2. Annexed hereto are parts of exhibits previously filed with the Court for Plaintiffs' motion for class certification. In addition to these exhibits are ten new exhibits, Exhibits 55-64, identified more specifically below in this Declaration.
3. Annexed hereto as Exhibit 55 is a true and accurate copy of Synapse's offer, including but not limited to that made to Plaintiff McNair, previously produced by Synapse as Bates SYN 0140715-0140723 and attached as Exhibits to Plaintiff's deposition.
4. Annexed hereto as Exhibit 56 is a true and accurate copy of Synapse's offer, including but not limited to that made to Plaintiff Austin, previously produced by Synapse as Bates SYN 0140713-0140714 and attached as Exhibits to Plaintiff's deposition.
5. Annexed hereto as Exhibit 57 is a true and accurate copy of Synapse's offer, including but not limited to that made to Plaintiff Demetriou, previously produced by Synapse as Bates SYN 0140703-0140712 and attached as Exhibits to Plaintiff's deposition.
6. Annexed hereto as Exhibit 58 is a true and accurate copy of Synapse's offer, including but not limited to that made to Plaintiff Dynko, previously produced by Synapse as Bates SYN 0140870-0140878 and attached as Exhibits to Plaintiff's deposition.

7. Annexed hereto as Exhibit 59 is a true and accurate copy of Synapse's offer, including but not limited to that made to Plaintiff Desai, previously produced by Synapse as Bates SYN 0140879-0140886 and attached as Exhibits to Plaintiff's deposition.
8. Annexed hereto as Exhibit 60 is a true and accurate copy of Exhibit 4 of the Roth deposition upon oral examination of Marc Roth, Synapse's designee regarding Compliance taken by Plaintiffs on May 8, 2008.
9. Annexed hereto as Exhibit 61 is a true and accurate copy of the excerpt from the transcript of the deposition upon oral examination of Tracy Dart, Synapse's designee regarding Initial Offers taken by Plaintiffs on May 8, 2008.
10. Annexed hereto as Exhibit 62 is a true and accurate copy of the transcript of the Oral Proceedings held before this Court on April 17, 2009.
11. Annexed hereto as Exhibit 63 is a true and accurate copy of the New York Attorney General's 2009 settlement concerning Symantec and McAfee's anti-virus software automatic renewal plans.
12. Annexed hereto as Exhibit 64 is a true and accurate copy of *FTC v. Warshak (Berkeley Premium Nutraceuticals, Inc.)*, Civ. Action No. 1:06-cv-00051-SAS (S.D.OH) filed January 30, 2006 [FTC File No. 042 3003], *Stipulated Final Order For Permanent Injunction* filed July 22, 2009.

I certify the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Date: November 29, 2010

GREEN & ASSOCIATES, LLC

By: /s/Michael S. Green  
GREEN & ASSOCIATES, LLC

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